



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

IM62/0117

FOLEY AND LARDNER  
SUITE 555,  
3000 K STREET, N.W.  
WASHINGTON DC 20007-5109

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/005,035	01/09/98	013	BEISNER, W	1744 01/17/01
First Named Applicant	LAW,	35 USC 154(b) term ext.	=	0 Days.

TITLE OF INVENTION AUTOMATED CELL PROCESSOR

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEES DUE	DATE DUE
1 038007/0112	435-286.500	A86	UTILITY	YES	\$620.00	04/17/01

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.  
PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS  
APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number.

Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

If the SMALL ENTITY is shown as NO:

A. Pay FEE DUE shown above, or

B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

PATENT AND TRADEMARK OFFICE COPY



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/005, 035 01/09/98 LAW

P 038007/0112

IM62/0117

EXAMINER

FOLEY AND LARDNER  
SUITE 555,  
3000 K STREET, N.W.  
WASHINGTON DC 20007-5109

BEISNER, W

ART UNIT	PAPER NUMBER
----------	--------------

1744

10

DATE MAILED:

01/17/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	09/005,035	LAW, PETER K.
	Examiner William H. Beisner	Art Unit 1744

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to \_\_\_\_.
2.  The allowed claim(s) is/are 20-32.
3.  The drawings filed on \_\_\_\_ are acceptable as formal drawings.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.
5.  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

6.  Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
7.  Applicant MUST submit NEW FORMAL DRAWINGS
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1)  hereto or 2)  to Paper No. \_\_\_\_.
  - (b)  including changes required by the proposed drawing correction filed \_\_\_\_, which has been approved by the examiner.
  - (c)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.**

8.  Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE / SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

**Attachment(s)**

1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3 <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	4 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. 9
5 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. 2	6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment
7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance
	9 <input type="checkbox"/> Other

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Stephen Bent on 12 Jan. 2001.

The application has been amended as follows:

Claim 20, line 15, --and-- has been inserted after "composition".

Claim 20, line 15, --that-- has been inserted before "controls".

Claim 20, line 15, "metal" has been deleted.

2. The following is an examiner's statement of reasons for allowance:

While the prior art of record discloses culturing a stack of culture trays or vessels in a controlled enclosure and while the prior art of record discloses culture trays which include a plurality of culture wells or zones, the prior art of record fails to teach or fairly suggest the use of a stack of culture trays, each including a plurality of culture plates (wells) that are in fluid contact with adjacent plates by one or more flow ducts, positioned within an automated cell processing enclosure.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 1744

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Beisner whose telephone number is 703-308-4006. The examiner can normally be reached on Tues. to Fri. and alt. Mon. from 6:40am to 4:10pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Warden can be reached on 703-308-2920. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3599 for regular communications and 703-305-7718 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.



William H. Beisner  
Primary Examiner  
Art Unit 1744

\*\*\*

January 15, 2001